

REMARKS

In response to the restriction requirement, Applicant provisionally elects the claims of Species I with traverse. The corresponding claims are 1-8, 14-22, and 31-46. Claims 1-6, 17-23, 25, 31, 35-41, and 44-46 are generic.

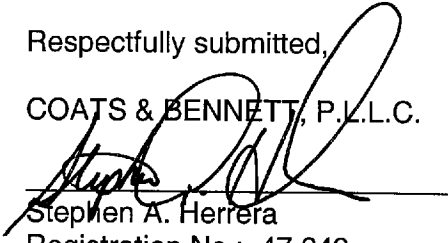
Restriction is proper only when 1) there is a patentable difference between species as claimed; and 2) there would be no undue burden on the Examiner if restriction were not required. *M.P.E.P.* § 808.01(a). Further, the Examiner must articulate the reasons as to why each alleged invention is either independent or distinct from the others, and why there would be a serious burden on the Examiner if restriction is not required. Such reasons are distinguished from mere conclusory statements. *M.P.E.P.* § 808.

Here, the Examiner never articulates why the claims would be distinct or independent. Instead, the Examiner merely states what the claims allegedly describe. Nor does the Examiner ever assert that serious burden would exist if restriction were not required, let alone provide any support for such a statement. In fact, there is no attempt to even classify the claims. Therefore, the restriction is improper and should be withdrawn.

In light of the foregoing remarks, Applicant requests that the Examiner withdraw the restriction requirement and examine all claims on the merits.

Respectfully submitted,

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